### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

DREAGAN SYLVESTER DAVIS,	§	
TDCJ #1271774,	§	
Plaintiff,	§	
	§	
<b>V.</b>	§	CIVIL ACTION NO. 6:08cv237
	§	
TEXAS BOARD OF CRIMINAL	§	
JUSTICE, ET AL.,	§	
Defendants.	§	

DEFENDANT LIVINGSTON'S MOTION FOR SUMMARY JUDGMENT WITH BRIEF IN SUPPORT

## **EXHIBIT B**

# Business Records Affidavit to Exhibit A - TDCJ Administrative Directive AD-03.22 (rev. 8)

### IN THE UNITED STATES DISTRICT COURT

V.

TEXAS BOARD OF CRIMINAL JUSTICE, ET AL

STATE OF TEXAS

COUNTY OF WALKER

#### **AFFIDAVIT**

BEFORE ME, the undersigned authority; personally appeared Karen Hall, who, being duly sworn by me, deposed as follows:

"My name is Karen Hall. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated."

"I am the custodian of the attached records of the Texas Department of Criminal Justice. Attached are the **4** pages of records, which are kept by the Texas Department of Criminal Justice in the regular course of its business activity, and it was in the regular practice of the business activity of the Texas Department of Criminal Justice for an employee or representative of the Texas Department of Criminal Justice, with knowledge of the act, event, condition, or opinion, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time thereafter. The records attached hereto are exact duplicates of the originals."

AD-03.22 (rev. 8), "Offender Searches"

Karen Hall, Manager

Executive Support, Texas Department of Criminal

**CAUSE NO. 608cv237** 

**Justice** 

BEFORE ME, Notary Public in the State of Texas, on this day personally appeared Karen Hall, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 23RD DAY OF JANUARY 2009 A.D.

Michelle Whitecotton
Notary Public - Tense
My Commission Expires (\$100,000)

03/03/2017

NOTARY PUBLIC, STATE OF TEXAS